

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

An Act To Implement the Recommendations of the Allagash Wilderness Waterway Working Group

Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, Governor John E. Baldacci established the Allagash Wilderness Waterway Working Group by executive order in June 2006 and the recommendations of the working group were presented to the Governor on February 8, 2007; and

Whereas, certain recommendations will aid in the long-term governance, management and oversight structure for this vital resource and will help to bring stability, peace and prestige to its management; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 5 MRSA §12004-I, sub-§3-D is enacted to read:

3-D.

Conservation	Expenses/ Legislative per diem	12 MRSA §1891
	Allagash Wilderness Waterway Advisory Council	

Sec. 2. 12 MRSA §1891 is enacted to read:

§ 1891. Allagash Wilderness Waterway Advisory Council; established

There is established the Allagash Wilderness Waterway Advisory Council, referred to in this section as "the council," pursuant to Title 5, section 12004-I, subsection 3-D.

1. Duties. The council shall:

A. Meet at least twice annually;

B. Work with the manager of the waterway in developing and maintaining a strategic plan for the waterway and advancing the mission and goals of the waterway; and

C. Report annually to the Director of the Bureau of Parks and Lands regarding the state of the waterway and at other times as it is determined necessary by the council.

2. Members. The council consists of 7 members including:

A. One representative of the United States Department of the Interior, National Park Service;

B. One public member;

C. One member with knowledge and experience in sustainable forest management who is a private landowner, or an employee of the landowner, whose holdings abut the waterway;

D. One member with knowledge and experience in wilderness recreation;

E. One member with knowledge and experience in natural resources planning and management;

F. One member with knowledge and experience in fisheries or wildlife conservation; and

G. One member with knowledge and experience in cultural and historic preservation.

The members shall annually elect a chair from among the members. The chair is responsible for scheduling, preparing the agenda of and presiding at meetings.

3. Appointment. The Governor shall appoint the 6 members described in subsection 2, paragraphs B to G. The Governor shall invite the Northeast Regional Director of the National Park Service within the United States Department of the Interior to designate the member described in subsection 2, paragraph A.

4. Terms. Council members serve terms of 5 years and may serve no more than 2 terms.

Sec. 3. 12 MRSA §1891-A is enacted to read:

§ 1891-A. Allagash Wilderness Waterway Permanent Endowment Fund

The Treasurer of State shall establish a dedicated, nonlapsing account called the Allagash Wilderness Waterway Permanent Endowment Fund and shall manage the account as a state-held trust. Subject to the approval of the Governor, the commissioner may accept funds from any source and may accept gifts in trust to be credited to the Allagash Wilderness Waterway Permanent Endowment Fund. Interest earned on investments in the fund must be credited to the fund. With the advice of the Allagash Wilderness Waterway Advisory Council under section 1891, the director may expend money from the fund for purposes consistent with section 1871 and an approved waterway management plan.

Sec. 4. 12 MRSA §1891-B is enacted to read:

§ 1891-B. Reporting

The commissioner shall annually report to the joint standing committee of the Legislature having jurisdiction over conservation matters regarding the state of the waterway, including its mission and goals, administration, education and interpretive programs, historic preservation efforts, visitor use

and evaluation, ecological conditions and natural character enhancements, general finances, income, expenditures and balance of the Allagash Wilderness Waterway Permanent Endowment Fund, the department's annual budget request for the waterway operation in the coming fiscal year and current challenges and prospects for the waterway.

Sec. 5. Management as separate region. The Department of Conservation shall administer and manage the Allagash Wilderness Waterway as a separate region within the Bureau of Parks and Lands.

Sec. 6. Staggered terms. Notwithstanding the Maine Revised Statutes, Title 12, section 1891, subsection 4 and in order to ensure a certain level of continuity of service on the Allagash Wilderness Waterway Advisory Council, the Commissioner of Conservation shall, in making the initial appointments for the advisory council, appoint 2 members to 3-year terms, 2 members to 4-year terms and 2 members to 5-year terms. The legislative committee approval requirements of Title 12, section 1891, subsection 3 apply to initial and subsequent appointments. An initial term of 3 or 4 years is considered a full term for purposes of calculating the term limitation in Title 12, section 1891, subsection 4.

Sec. 7. Appropriations and allocations. The following appropriations and allocations are made.

CONSERVATION, DEPARTMENT OF

Advisory Council

Initiative: Allocates for the per diem of the Allagash Wilderness Waterway Advisory Council.

OTHER SPECIAL REVENUE FUNDS	2007-08	2008-09
All Other	\$1,925	\$1,925
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,925	\$1,925

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.

SUMMARY

This bill establishes an independent advisory council to represent the public interest in the Allagash Wilderness Waterway and to provide counsel to the manager of the waterway and the Director of the Bureau of Parks and Lands within the Department of Conservation. The bill elevates the status of the waterway in the department by making it a separate region within the bureau. It creates an endowment fund to support capital acquisitions and improvements, historic, cultural and educational programs and facilities. The bill requires an annual report by the Commissioner of Conservation to the Legislature.